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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,884	02/04/2004	Alexander Lightman	ICH1P004C1	5364

22434 7590 12/28/2006  
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EXAMINER
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ZEWARI, SAYED T

ART UNIT	PAPER NUMBER
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2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/772,884	<b>Applicant(s)</b> LIGHTMAN, ALEXANDER	
	<b>Examiner</b> Sayed T. Zewari	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2617

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

***Response to Amendment***

2. Applicant's arguments filed on 9/19/2006 have been fully considered but they are not persuasive.

3. The applicants features in the claims wherein a method, a wearable device and computer program codes disclosed for detecting, the presence of another wireless device and receiving a request for displaying identifiable information on the display of the wireless device, reads on Raith in view of Thompson et al. as follows:

4. Raith discloses a method, a wearable device, and inherent computer program products to detect, receive and display identifiable information from other wireless devices. Raith further discloses the wearable device having a display, memory, and processor to execute the computer program codes stored in the memory. However Raith does not specifically disclose a method wherein each of the screens of the series of screens is cycles after a predetermined time. But Thompson discloses a method wherein each of the screens of the series of screens is cycles after a predetermined time. Therefore, Raith and Thompson disclose all the limitations of claims of the applicant.

5. Applicant's remark stating ***"In contrast, Raith pertains to use of a proximity system in conjunction with radio communication systems"*** is not persuasive. The

Art Unit: 2617

applicant's system also inherently uses both a proximity system to detect the presence of another wireless device and radio communication systems to communication with other device.

6. Applicant's remark stating, ***"The abstract indicates that mobile stations can include proximity detectors to recognize proximity signals transmitted by a proximity system"*** is not persuasive. The applicant's system is also claimed to detect the presence of another wireless device. For the purpose of this detection, it must inherently use a detection system similar to Raith's detection system, a proximity system. Therefore, Raith discloses detecting the presence of another wireless device.

7. Applicant's remark stating, ***"that Raith fails to teach or suggest receiving a request to display identifiable information..."*** is not persuasive. Raith disclose displaying identifiable information on request (See figure 4, col.10 lines 42-46).

8. Applicant's remark stating that Thompson et al fail to teach a series of screens cycled at a predetermined time is not persuasive. Thompson et al. discloses display of a series of screen at a predetermined time.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

Art Unit: 2617

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claim 1-8, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Raith.

With respect to claim 1, Raith discloses a method for displaying information on a wireless device having a display (**See Raith figure 1(190), figure 3(350) and figure 4**), **said method comprising: detecting presence of another wireless device (See Raith abstract, col.3 lines 12-17, col.7 lines 37-45)**, receiving, from the another wireless device, a request to display identifiable information on the display of the wireless device after said detecting has detected the presence of the another wireless device (**See Raith col.5 lines 50-64, see figure 4(410)**), and displaying the identifiable information on the display of the wireless device in response to the request (**See Raith col.5 lines 50-64, figure 4(410), col.10 claim no. 9 on lines 41-44, where Raith discloses that various types of information can be downloaded using menu**).

With respect to claim 2, Raith discloses a method wherein the wireless device is a wearable computing device (**See Raith figure 3(350), col.5 line 24, where the mobile station is a cellular phone which is wearable**).

With respect to claim 3, Raith discloses a method wherein another wireless device is a wearable computing device (**See Raith col.6 lines 48-67, col.7 lines 1-13**).

With respect to claim 4, Raith discloses a method wherein the wireless device is a wearable badge (**See Raith col.7, lines 31-56 where the wearable mobile station 350 is equipped with a proximity sensors**).

With respect to claim 5, Raith discloses a method wherein the another wireless device is affixed to or embedded in an area or a setting (**See Raith col.5 lines 13-22**).

With respect to claim 6, Raith discloses a method wherein said method is performed at an event in which numerous participants wear wearable badges (**See Raith figure 3(350), col.5 line 24, where the mobile station is a cellular phone which is wearable**).

With respect to claim 7, Raith discloses a method wherein said method further comprises: accessing the identifiable information to be displayed from the wireless device (**See Raith col.5 lines 50-56, figure 4(410), col.10 claim no. 9 on lines 41-44**).

With respect to claim 8, Raith discloses a method wherein said displaying of the identifiable information on the display of the wireless device operates to display the information in a series of screens on the display (**See Raith figure 4(410), where it is obvious to one skilled in the art that if there are more messages then they would have to be displayed in a series of screens on the display**).

With respect to claim 10, Raith discloses a wearable (**See Raith figure 3(350), col.5 line 24, where the mobile station is a cellular phone which is wearable**), computing device capable of responding to other wearable computing devices in the vicinity (**See Raith figure 1(190), figure 3(350) and figure 4**), said method comprising: detecting presence of another wireless device (**See Raith abstract**,

Art Unit: 2617

**col.3 lines 12-17, col.7 lines 37-45),** said wearable computing device comprising: a display for displaying information (**See Raith figure 1(190), figure 4(410), col.2 lines 9-10**); a memory for storing at least computer program code (**See Raith's figure 5, col.2 lines 15-18**), code including at least (i) computer program code for detecting presence of another wireless device; (ii) computer program code for receiving, from the another wireless device, a request to display identifiable information on the display of the wireless device after said detecting has detected the presence of the another wireless device; and (iii) computer program code for displaying the identifiable information on the display of the wireless device in response to the request (**See Raith's figure 5, col.8 lines 57-67, col.9 lines 1-3**); and a processor for executing said computer program code stored in said memory (**See Raith's figure 1(175), figure 4(406), col.1 lines 64-67, col.8 lines 2-5**).

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 9, 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raith (US 6,493,550) in view of Thompson et al. (US 6,484,011).

With respect to claim 9, Raith discloses all the limitations of claim 9 in the above combinations. However, Raith does not specifically disclose a method wherein each of the screens of the series of screens is cycled after a predetermined time. But Thompson discloses a method wherein each of the screens of the series of screens is cycled after a predetermined time (**See Thompson figure 5, col.6 lines 4-8, col.7 lines 58-61**). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention disclosed by Raith and include the method of automatically cycling through displays at a set time, as disclosed by Thompson, thereby providing a means of displaying information after a predetermined timeout period, as disclosed by Thompson et al. (**See Thompson abstract, col. 1 lines 14-35, claim 29**).

With respect to claim 11-18, the above combinations discloses all the limitations of the claims

### ***Conclusion***

13. The following prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

14. de la Huerga Patent No. 5,960,085 discloses a security badge for automated access control and secure data gathering.

15. Kaschke et al. Patent No. 5,956,626 discloses a wireless communication device having an electromagnetic wave proximity sensor.



Art Unit: 2617

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sayed T. Zewari whose telephone number is 571-272-6851. The examiner can normally be reached on 8:30-4:30.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sayed T. Zewari

December 14, 2006

  
LESTER G. KINCAID  
SUPERVISORY PRIMARY EXAMINER